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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Chapter 7 estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MORTON KURZROK, *et al.*,

Defendants.

Adv. Pro. No. 09-01305 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL OF
DEFENDANT JANE M. DELAIRE A/K/A JANE DELAIRE HACKETT
FROM ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-*III*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendant Jane M. Delaire a/k/a Jane Delaire Hackett (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On June 22, 2009, the Trustee commenced this adversary proceeding (the “Adversary Proceeding”) against Jane M. Delaire a/k/a Jane Delaire Hackett, as well as other defendants who remain in the Adversary Proceeding by filing his original complaint (ECF No. 1).

2. On October 8, 2009, the Trustee filed his First Amended Complaint (the “FAC”) in the Adversary Proceeding against Jane M. Delaire a/k/a Jane Delaire Hackett, as well as other defendants who remain in the Adversary Proceeding (ECF No. 82).

3. Defendant Jane M. Delaire a/k/a Jane Delaire Hackett submitted a response to the FAC by way of a letter to the Trustee dated October 4, 2011.

4. Pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 (Case No. 08-01789, Dkt. No. 3181), the Trustee and Jane M. Delaire a/k/a Jane Delaire Hackett entered into a Settlement Agreement and Release dated September 28, 2019 (the “Settlement Agreement”).

5. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against the Jane M. Delaire a/k/a Jane Delaire Hackett in the Adversary Proceeding, with each of the Parties to bear its own attorney’s fees and costs.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit

of the Parties and their respective estates, personal representatives, executors, administrators, heirs, successors and assigns, and upon all creditors and parties in interest.

7. This Stipulation may be signed by the Parties, through their counsel, in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

8. Upon the dismissal of Jane M. Delaire a/k/a Jane Delaire Hackett, the caption of the Adversary Proceeding is hereby amended to delete Jane M. Delaire a/k/a Jane Delaire Hackett from the caption. The amended caption shall appear as indicated in Exhibit A to this Stipulation.

Dated: October 2, 2019
New York, New York

BAKER HOSTETLER LLP

By: /s/ Kathryn Zunno-Freaney

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Investment Securities LLC and
the Chapter 7 estate of Bernard L. Madoff*

**JANE M. DELAIRE A/K/A
JANE DELAIRE HACKETT**

By: /s/ Jane M. Delaire

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SO ORDERED this 2nd day of October 2019.

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
United States Bankruptcy Judge